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Attorneys for Plaintiff
TRENT WEST

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRENT WEST,

Plaintiff,

v.

**JEWELRY INNOVATIONS, INC.,
TOSYALI INTERNATIONAL, INC.
(dba BENCHMARK), NORTHSTAR
DIAMOND, INC. (dba TUNGSTEN
MAGNUM), A JAMAIS DESIGNS,
INC. (dba INFINITY RINGS), and
CROWN RING, INC.,**

Defendants.

And Related Cross-Actions

Case No.5:07-cv-1812 JF (HRL)

**STIPULATED DISMISSAL WITH
PREJUDICE BETWEEN WEST AND
BENCHMARK**

Pursuant to agreements entered into by the parties, Plaintiff and Counterclaim Defendant Trent West ("West") and Defendant and Counterclaimant Tosyali International, Ltd. dba Benchmark ("Benchmark"), by and through their undersigned counsel of record, have agreed and stipulate, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, to the dismissal, with prejudice, of all claims brought by West in his complaint and all claims brought by Benchmark. Each party shall bear its own costs and attorneys' fees.

1 Accordingly, West and Benchmark respectfully request that the Court dismiss, with
2 prejudice, the parties' claims in this matter as set forth above.

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4 JONES WALDO HOLBROOK &
MCDONOUGH

KING & KELLEHER

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6 By: /s/Brett D. Ekins
Brett D. Ekins

By: /s/Edward Vincent King, Jr.
Edward Vincent King, Jr.

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8 Attorneys for Defendant Tosyali International,
Inc. (dba Benchmark)

Attorneys for Plaintiff Trent West


9 Date: October 29, 2008

Date: October 29, 2008

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12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

November 5

13 DATED: October ____, 2008

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Hon. Jeremy Fogel
Judge, U.S. District Court – N.D. Cal.